

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

WILLIAM SELTZER, JR., :
 :
 Plaintiff, :
 :
 vs. : CIVIL ACTION 07-0383-WS-M
 :
 MOBILE CITY POLICE DEPARTMENT, :
 :
 Defendant. :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is ADOPTED IN PART as the opinion of this Court. It is ORDERED that this action be and is hereby DISMISSED without prejudice to Plaintiff's ability to refile a complaint against properly named defendants. The Clerk is DIRECTED to send to the Commissioner of the Alabama Department of Corrections a copy of the Report and Recommendation recommending the dismissal of this action, and of this Order and Judgment adopting the Report and Recommendation.

DONE this 18th day of August 2008.

S/William H. Steele
UNITED STATES DISTRICT JUDGE